

Congress

A Different Territorial Dispute

By Erin McPike

■ Even some insiders are surprised to hear that Congress is about to take up the issue of Puerto Rico's political status.

■ Pending legislation has support in both parties and is seen as a bid to court Hispanics.

The issue of Puerto Rico's political status has been simmering for nearly 50 years. Now, at a time when Congress has plenty of other pressing items on its agenda, lawmakers may soon be voting on a measure to allow the residents of the largest U.S. territory to determine their own fate.

Last July, the House Natural Resources Committee approved the Puerto Rico Democracy Act, which would establish at least one plebiscite in the Caribbean territory to survey the populace about what status they want for their island. According to the office of House Majority Leader Steny Hoyer, D-Md., the bill will come up for a floor vote this year. "It remains a priority," spokeswoman Katie Grant said.

Resident Commissioner Pedro Pierluisi, a Democrat who represents Puerto Rico in Congress, together with Gov. Luis Fortuno, an energetic and rising Republican star, have marshaled 182 House co-sponsors for the legislation, including 58 Republicans. The two say they have commitments from more than 264 House members—180 Democrats and 84 Republicans—to vote for the bill.

Puerto Rico's quest for self-determination has, in fact, long had supporters on both sides of the political aisle, and in an election year, both parties are interested in courting Hispanics. "Every Republican president in the last 50 years has supported this process," Fortuno said in an interview. "President Reagan was a strong supporter of this process, and actually of statehood as well."

President Obama has also signaled support. "We ... pledged during my campaign to work with Congress and all groups in Puerto Rico to enable the question of Puerto Rico's status to be resolved during the next four years," Obama wrote in a letter to

Fortuno last January, shortly before his inauguration. "I am fully aware of the difficulties that Puerto Rico has faced in the past when dealing with this issue, but self-determination is a basic right to be addressed no matter how difficult."

Although the House approved a Puerto Rico self-determination bill by a single vote in 1998, the Senate never took up the matter. Back then, it was a pet project for House Speaker Newt Gingrich, R-Ga., who hoped to attract Hispanic votes, and Rep. Don Young, R-Alaska, who saw echoes of his home state's long fight for statehood.

In a recent interview, another Alaska Republican, Sen. Lisa Murkowski, said she also is sympathetic. Murkowski is vice chairwoman of the Senate Republican Conference and has taken the lead in reaching out to Hispanics and women. She noted that she has met with Puerto Ricans in Washington and has visited the island to discuss the statehood issue.

"It needs to be that decision of the people," Murkowski said. "I know that it has been an issue that has provoked a great deal of stress on both sides, but I think if the people of Puerto Rico believe strongly that they need to become a state, we need to respect that."

Puerto Rico's commonwealth form of government—in Spanish, *Estado Libre Asociado (ELA)*, or Free Associated State—was approved in a public referendum in 1952 under the leadership of then-Gov. Luis Munoz Marin, according to *The Almanac of American Politics*. Under ELA, Puerto Rico is part of the United States for purposes of international trade, foreign policy, and war, but has its own laws, taxes, and representative government. Ever since Munoz retired in 1964, the central issue in Puerto Rico's politics has been status: Should the island continue or modify ELA, should it seek statehood, or should it seek independence?

■ Luis Fortuno



■ "The Founding Fathers never intended for 4 million American citizens to be left in any territory forever."

For many years, public sentiment moved gradually toward statehood. In a 1967 referendum, Puerto Ricans voted for *ELA* over statehood 60 percent to 39 percent. But in a 1993 referendum, the vote was 48 percent for *ELA* and 46 percent for statehood, according to *The Almanac*. In a November survey of 787 Puerto Rican voters, pollster Pablo Ramos found that 58 percent favored statehood, results almost identical to a 2008 survey.

■ **Pedro Pierluisi**



■ **"Members of Congress thought ... that Alaska would be Democrat and Hawaii would be Republican, and they read it all wrong."**

The pending legislation is not self-executing: It simply provides for Congress to authorize an official survey in Puerto Rico that would inform the U.S. government about what the territory's citizens want. Congress could then move forward as it sees fit. If a majority of Puerto Ricans voted to change the territory's status, a second plebiscite would take place three to six months later that would ask residents whether they would like to become a state, gain independence, or become a sovereign nation with U.S. ties. If a majority voted for the status quo in the first plebiscite, the proposal allows for another plebiscite eight years later.

Fortuno, a telegenic 49-year-old who has begun turning heads in national political circles, served as resident commissioner in Congress for the four years preceding Pierluisi. The two are close friends who grew up together and share support for statehood. But they emphasize that the legislation they are pushing merely calls for self-determination, not statehood.

"The Founding Fathers never intended for 4 million American citizens to be left in any territory forever," Fortuno contended. Pierluisi put it this way: "Until and unless you settle this issue, you have to continuously deal with it, because you need to make sure that the people consent to this, because it is clearly not a permanent-type arrangement; it cannot be. You have to check on the people."

Pierluisi noted that Puerto Rico is not treated like a state under federal health care or housing programs, for instance, and he says that the duo's goal is "parity." Hospitals in the territory receive lower Medicare reimbursements than all other U.S. hospitals.

Opponents contend, however, that the legislation is a statehood bill. Rep. Nydia Velazquez, D-N.Y., a native Puerto Rican who is close to the territory's Commonwealth Party that supports the status quo, is among the naysayers. She has said she does not support the bill because it would not allow the people of Puerto Rico to establish the process by which the island's status would be determined. Velazquez introduced legislation in the previous Congress authorizing a constitutional convention, whose proposal would be ratified through a referendum and then submitted to Congress.

Other opponents include Republicans who believe that Puerto Rican statehood would be a boon to Democrats in electoral politics—even though House Republican Conference Chairman Mike Pence of Indiana, is a co-sponsor of the bill.

Should Puerto Rico become a state, its residents would likely equate to six congressional districts and eight electoral votes. But for Republicans worried about the boon for Democrats, Pierluisi has this message: "The last two territories that became states were Alaska and Hawaii. And the members of Congress thought ... that Alaska would be Democrat and Hawaii would be Republican, and they read it all wrong."

Puerto Rico's population is heavily Catholic and socially conservative, he pointed out. Members of Congress "shouldn't be trying to predict where Puerto Rico would go," Pierluisi said. "We have a Republican governor and a Democrat resident commissioner. We have a majority of Republican mayors and members of the Legislature right now."

Back home, Fortuno has to make massive cuts in the bureaucracy and budget because of the recession. Phil Musser, a

GOP strategist and former executive director of the Republican Governors Association, noted that passage of the pending legislation "would just be the feather in his cap."

"Fortuno is one of the unnoticed assets of the Republican Party," Musser said, adding that the governor "is making big, tough choices in his first year in office and has the ability to become a larger and more important voice in the Republican Party nationally because he's a good communicator, well liked by his peers, and is a leading Hispanic in a party that's bereft of Hispanic voices."

Even though the House is expected to pass the legislation easily, most leadership aides questioned about it were unaware of the bill's status and contents. Some called Puerto Rican issues messy. The issue would head next to the Senate Energy and Natural Resources Committee, where Chairman Jeff Bingaman, D-N.M., said he, too, did not know that the House is all but certain to pass the legislation.

"We're going to see what the House does," Bingaman said. "We haven't discussed it yet in my committee."

Fortuno and Pierluisi hope that a House victory will provide momentum for them to start lobbying the Senate. Pierluisi aims to find 10 veteran senators—six Democrats and four Republicans, particularly those with large Puerto Rican constituencies—to co-sponsor the bill.

Sen. John Thune, R-S.D., the chairman of the Senate Republican Policy Committee, and Sen. John Cornyn, R-Texas, the chairman of the National Republican Senatorial Committee, both said they were familiar with Fortuno from his four years in the House. But even though the two senators have been actively involved in GOP outreach to Hispanics, they stopped short of saying where they would come down on the Puerto Rico Democracy Act and were even unsure about how to talk about it.

Fortuno, however, is quick to point out the upside for his party. "It would present an opportunity, for example, for senators who may have a tougher position on immigration, to show that they may have that position on immigration but they are not anti-Hispanic," he said. ■

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